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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/996,576

11/30/2001

Yves Audebert

JEL L741.01110

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10/06/2006

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EXAMINER

GRAHAM, CLEMENT B

ART UNIT

PAPER NUMBER

3692

DATE MAILED: 10/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,576

Applicant(s)

AUDEBERT ET AL.

Examiner

Clement B. Graham

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-43, are rejected under 35 U.S.C. 102(e) as being anticipated by Powar U.S Patent 6, 285, 991).

As per claim 1, Powar discloses a network enabled online transaction risk management system comprising;

at least one financial services server for processing financial transaction requests received over said network for at least one customer account wherein preferences for said at least one customer account are remotely configurable over said network see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67) at least one client in processing communications with said at least one financial services server over said network including means for remote configuration of said at least one customer account using one or more customer preferences;

at least one point of sales terminal in processing communications with said at least one financial services server including means for performing financial transactions with said financial services server.(Note abstract and see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 2, Powar discloses wherein said one or more customer preferences includes notification methods and said system comprises notification means for performing said notification methods.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

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. As per claim 3, Powar discloses wherein said notification methods further includes authorization methods and said system further comprises 25 authorization means for performing said authorization methods. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 4, Powar discloses wherein said one or more customer preferences includes transaction limits. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 5, Powar discloses wherein said one or more customer preferences includes authorization limits. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 6, Powar discloses wherein said one or more customer preferences includes account suspension limits. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 7, Powar discloses wherein said one or more customer preferences includes single transactions. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 8, Powar discloses wherein said one or more customer preferences includes cumulative transactions. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 9, Powar discloses wherein said one or more customer preferences includes an applicable time period. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 10, Powar discloses 1 wherein said at least one financial services server authenticates said at least one customer before allowing said at least one customer access to said at least one customer account. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 11, Powar discloses wherein said communications is performed using a secure messaging protocol. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

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As per claim 12, Powar discloses wherein said network includes the Internet. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 13, Powar discloses wherein said network includes a public telephone service network. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 14, Powar discloses wherein said network includes a cellular telephone network. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 15, Powar discloses wherein said network includes a cable television network. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 16, Powar discloses wherein said notification means includes a cellular telephone. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 17, Powar discloses wherein said notification means includes a pager. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 18, Powar discloses wherein said notification means includes a regular telephone. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 19, Powar discloses wherein said notification means includes electronic mail. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 20, Powar discloses wherein said notification means includes a personal data assistant. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 21, Powar discloses wherein said notification means includes a television equipped with a set top box.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 22, Powar discloses further including comparator means wherein said comparator means compares financial transactions received from said at least one

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point of sales terminal to said one or more customer preferences.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 23, Powar discloses wherein notifications are sent to said at least one customer using said notification means if said financial transactions exceeds said one or more customer preferences. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 24, Powar discloses wherein authorization requests are sent to said at least one customer using said notification means if said financial transactions exceeds said one or more customer preferences. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 25, Powar discloses wherein said at least one customer account belonging to said at least one customer is suspended if said financial transactions exceeds said one or more customer preferences.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 26, Powar discloses a method for reducing financial transaction risk comprising;
establishing networking communications between a client and a financial services server by at least one customer wherein said financial services server is in processing communications with at least one point of sales terminal, accessing an account on said financial services server owned by said at least one customer, entering one or more customer preferences.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67) comparing financial transactions received from said at least one point of sales terminal to said one or more customer transactions, sending notifications to said at least one customer if said financial transactions exceed said one or more customer preferences, requesting authorization of said at least one customer if said financial transactions exceed said one or more customer preferences, suspending further financial transactions of said at least one customer if said financial transactions exceed one or more customer preferences.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

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As per claim 27, Powar discloses further including the step of authenticating said customer to said financial services server.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 28, Powar discloses wherein said networking communications includes using the Internet.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 29, Powar discloses wherein said networking communications includes using a public telephone service network. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 30, Powar discloses wherein said networking communications includes using a cellular telephone network. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 31, Powar discloses wherein said networking communications includes using a cable television network.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 32, Powar discloses wherein said one or more customer preferences includes transaction limits.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 33, Powar discloses wherein said one or more customer preferences includes authorization limits. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 34, Powar discloses wherein said one or more customer preferences includes account suspension limits.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 35, Powar discloses wherein said one or more customer preferences includes single transactions.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 36, Powar discloses wherein said one or more customer preferences includes cumulative transactions.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 37, Powar discloses wherein said one or more customer preferences includes an applicable time period.(see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 38, Powar discloses wherein said notification methods includes a cellular telephone. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 39, Powar discloses wherein said notification methods includes a pager. see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 40, Powar discloses wherein said notification methods includes a regular telephone. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 41, Powar discloses wherein said notification methods includes electronic mail. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

42. The method according to claim 26 wherein said notification methods includes a personal data assistant. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

As per claim 43, Powar discloses wherein said notification methods includes a television equipped with a set top box. (see column 4 lines 32-67 and column 6 lines 18-65 and column 7-15 lines 1-67).

Conclusion

3 The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Getchius et al (US 6,393,415 Patent) teaches adaptive partitioning techniques in performing query request and routing.

Ginter et al (US Patent 5,892,900) teaches system and methods for secure transaction management and electronic rights protection..

Roberta et al (US Patent 6,292,788) teaches methods of investment instruments for performing tax deferred real estate exchanges.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

Sept 19, 2006


FRANTZY POINVIL
PRIMARY EXAMINER
AU 3628